

# Exhibit D

**CHRISTINA PARROTT****December 16, 2004**

Page 1

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

C.A. No. 04-10131-RBC

\*\*\*\*\*

HEATHER KIERNAN, \*

Plaintiff \*

vs. \*

ARMORED MOTOR SERVICE OF AMERICA, \*

INC., and FRANCESCO CIAMBRIELLO, \*

Defendants \*

\*\*\*\*\*

DEPOSITION OF: CHRISTINA PARROTT

MORGAN, BROWN &amp; JOY

One Boston Place

Boston, Massachusetts

December 16, 2004 10:00 a.m.

GAYLE OHMAN

CERTIFIED SHORTHAND REPORTER

#1353S94

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 2

1 APPEARANCES:

2

3 Representing the plaintiff:

4 MCLEOD LAW OFFICES, P.C.

5 77 Franklin Street

6 Boston, MA 02110

7 BY: WILLIAM J. MCLEOD, ESQ.

8 (617) 542-2956

9

10 Representing Armored Motor Service:

11 MORGAN, BROWN & JOY

12 One Boston Place

13 Boston, MA 02108

14 BY: ALLISON K. ROMANTZ, ESQ.

15 (617) 523-6666 FAX 367-3125

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**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 3

I N D E X

WITNESS: CHRISTINA PARROTT

EXAMINATION BY:	PAGE:
Ms. Romantz	5/149/153
Mr. McLeod	140/151

EXHIBIT	PAGE
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(None offered)

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 4

(Deposition commenced at 10:20 a.m.)

CHRISTINA PARROTT, Deponent, having been  
duly sworn, deposes and states as follows:

MS. ROMANTZ: Before we start this  
deposition we're going to put a couple of  
thing on the record. First, Bill, do you  
want to agree to the usual stipulations?

MR. MCLEOD: Sure, yes, agree to  
the usual which are all objections except  
as to form and motions to strike reserved  
until the time of trial. The witness will  
have the option of reading and signing her  
deposition, but we will waive the signing  
in front of a notary within 30 days.

MS. ROMANTZ: Within 30 days.

MR. MCLEOD: Of receipt, sorry.  
And just to note that according to my  
watch that the time is approximately  
10:25. The reason we're starting is it's  
my understanding that Mr. Ardito, who  
represents Mr. Ciambriello, called this  
morning, his office called saying he was

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

CHRISTINA PARROTT

December 16, 2004

Page 48

1 Q. At any time during your employment  
2 with AMSA were you ever given any training on  
3 building security?

4 A. No. Well, what does that -- I knew  
5 we had video cameras.

6 Q. Were you ever given any training on  
7 what you should do if you were in the facility  
8 and it was robbed?

9 A. No.

10 Q. Were you ever given any information  
11 about the video cameras?

12 A. I knew in the money room where they  
13 were located.

14 Q. Were you aware that there were what  
15 I'm going to call holdup buttons located  
16 throughout the Attleboro facility that if  
17 somebody pushed them it would trigger an alarm  
18 to the Attleboro police station?

19 MR. MCLEOD: Objection.

20 THE WITNESS: No, not until after  
21 this happened. I was never told that when  
22 I was hired or while I was employed.

23 Q. (By Ms. Romantz) did you ever see  
24 a button in the money room that was red in color

CATUOGNO COURT REPORTING SERVICES

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 49

1 and had a sign directly above it that said  
2 holdup button?

3 A. Not that I remember.

4 Q. Did you ever go into the vault?

5 A. Once or twice.

6 Q. Did you ever see a holdup button in  
7 there?

8 A. I never paid attention. I never  
9 looked.

10 Q. Did you have any personal knowledge  
11 as to whether Heather was aware that there were  
12 holdup buttons located throughout the facility?

13 MR. MCLEOD: Objection.

14 THE WITNESS: To my knowledge she  
15 did not.

16 Q. (By Ms. Romantz) Did you ever have  
17 a conversation with her?

18 A. No, I never had a conversation  
19 with her.

20 MR. MCLEOD: Just also to remind  
21 you both wait for her to finish the  
22 question before you answer.

23 THE WITNESS: Sorry.

24 MR. MCLEOD: Okay.

**CHRISTINA PARROTT**

**December 16, 2004**

Page 62

1           A.       Just asked if I could come down  
2 there. She didn't say anything over the phone,  
3 just asked if I could come down.

4           Q.       And what did you say?

5           A.       I said that was fine, and I was  
6 down there within a minute.

7           Q.       Did you drive down there?

8           A.       Yes, I live right down the street.

9           Q.       Can you tell me what happened when  
10 you got there?

11          A.       She had come outside and she came  
12 to my car and when she was walking she said  
13 don't make any facial expressions, don't make  
14 any expressions but I have something to tell  
15 you. And she told me Tony had assaulted her.  
16 She didn't get into great detail at the time,  
17 she was very uncomfortable about it she said.

18          Q.       Did she actually --

19          A.       She told me -- I'm sorry.

20          Q.       Let me finish.

21          A.       She told me she did not want me --  
22 did not want him to know -- I'm sorry -- that I  
23 knew anything that she was telling me anything.  
24 Because apparently there's a camera that sees

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH



**CHRISTINA PARROTT**

**December 16, 2004**

Page 63

1 out in the parking lot so he may have been  
2 watching on the video camera.

3 Q. Where were you when Heather made  
4 this statement to you?

5 A. Right up outside of my car. I was  
6 standing outside of my car.

7 Q. And were you facing the facility,  
8 the AMSA facility?

9 A. I believe I was facing -- her back  
10 was towards it I believe. I believe that's how  
11 it was. I don't recall.

12 Q. And did she use that word  
13 assaulted?

14 A. I don't recall the exact words she  
15 used.

16 Q. Did she tell you specifically what  
17 it was that he had done?

18 A. He had not at that time, no. I'm  
19 sorry.

20 Q. Did she appear upset to you?

21 A. Yes.

22 Q. Can you describe her appearance  
23 that led you to believe she was upset?

24 A. The way her voice sounded like she

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 66

1 really -- she didn't really say anything else.

2 I don't know what she was thinking of.

3 Q. Did you agree to go back in with  
4 her?

5 A. I asked her if it was okay because  
6 I wasn't scheduled to work, she said don't worry  
7 about it.

8 Q. How long was it that you were in  
9 the parking lot with Heather having this  
10 conversation?

11 A. Ten minute tops possibly, I'm not  
12 positive though.

13 Q. And then the two of you went into  
14 back into the facility together?

15 A. Yes, he let us back in.

16 Q. When you say he let us back in --

17 A. He has to buzz -- we went to the  
18 building you can't just walk in, you have to be  
19 buzzed.

20 Q. Did he come to the door?

21 A. No, it's a buzz over by the desk.  
22 He doesn't come to the door.

23 Q. What did you do when you went into  
24 the facility?

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 69

1 dispatch desk someone was sitting in that chair.

2 Q. Someone sitting at the dispatch  
3 desk?

4 A. They were using the chair. They  
5 weren't actually at the desk, they turned that  
6 chair I believe.

7 Q. Did you have any conversations with  
8 Tony at that time?

9 A. I don't remember.

10 Q. How long was it that you were all  
11 in that dispatch area, or the area in front of  
12 the vault room?

13 A. I don't remember. I can't say a  
14 specific time because I don't remember how long  
15 it was.

16 Q. Was it more than an hour?

17 A. I don't believe so.

18 Q. Was it more than a half hour?

19 A. Maybe a half hour. I really don't  
20 remember how long I was there for.

21 Q. During the time that you were in  
22 the facility was there any conversation between  
23 Tony and Heather that was non-work related? And  
24 by that I mean any conversation other than Tony

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 70

1 reading off names or Heather reading off names?

2 A. Not that I remember. I don't  
3 remember.

4 Q. Did Tony say anything to you when  
5 you were in the facility?

6 A. I asked if it was okay that I was  
7 in there. He said that was fine. We didn't  
8 really have a conversation, I just wanted to  
9 make sure it was okay I was in the facility, and  
10 I wouldn't be in trouble for it.

11 Q. How did he appear to you?

12 A. I don't know?

13 MR. MCLEOD: Objection.

14 THE WITNESS: I don't know how his  
15 normal appearance is -- I don't.

16 Q. (By Ms. Romantz) Did anything seem  
17 out of the ordinary?

18 A. I don't think he was wearing his  
19 glasses which he normally does, but I don't  
20 recall. It was so long ago I really don't  
21 remember exactly.

22 Q. Do you recall whether or not he was  
23 wearing a holster with a gun?

24 A. I believe so, but I'm not

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 71

1 positive. I don't remember. Normally they did  
2 when they were in the building.

3 Q. At any time while you were in the  
4 parking lot with Heather did Tony ever come out  
5 and join the two of you in conversation?

6 MR. MCLEOD: Objection. Just so  
7 we're clear we're talking about --

8 MS. ROMANTZ: At any time that day.

9 MR. MCLEOD: At any time that day?

10 THE WITNESS: That day any time?

11 Yes, he did.

12 Q. (By Ms. Romantz) When was that?

13 A. I don't recall which time it was,  
14 but he did come out at one point and have a  
15 cigarette. I think -- no, actually, can I  
16 change something?

17 Q. Sure.

18 A. When we were having that  
19 conversation he came out and had a cigarette and  
20 we all went back in at the same time. He buzzed  
21 us when we came back from lunch. Because he did  
22 have a cigarette, and I know we were only out  
23 there, that's what it was.

24 Q. Okay.

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 72

1 A. I know it's confusing.

2 Q. I understand it was a long time  
3 ago.

4 A. It was a long time ago, but that's  
5 what that was. He buzzed us in with lunch.  
6 When we came back -- when I came back that  
7 second time she was outside he came out for a  
8 cigarette then we went in all at the same time.

9 Q. After did he come out at the same  
10 time that Heather came out?

11 A. No, it was after.

12 Q. And had she already told you that  
13 he had assaulted her?

14 A. Yes.

15 Q. And some time after that had she  
16 asked you if you would return to work?

17 A. Yes, she had already asked me if I  
18 would return to work.

19 Q. And he came out and had a  
20 cigarette. Did he smoke a cigarette?

21 A. Yes.

22 Q. Did you smoke a cigarette?

23 A. I don't remember if I did or not.

24 Q. Do you smoke?

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 143

1 at one point. I don't know what kind. I don't  
2 remember, her mother took her.

3 Q. And when she was pregnant with  
4 Matthew did she appear to you to be kind of --  
5 did she appear at all to be depressed or down?

6 A. No, not that I...

7 Q. How about after she had Matthew?

8 A. Not right after she had Matthew,  
9 no.

10 Q. Now, you had testified that when  
11 you went to AMSA on that day, May 19th, Tony let  
12 you in, and he didn't say anything to you, like,  
13 what are you doing here or anything like that;  
14 right?

15 A. From what I recall I don't remember  
16 him saying anything.

17 Q. Did he remind you it was against  
18 the rules for you to be there if you weren't on  
19 the schedule working?

20 A. No.

21 Q. So he didn't say anything about  
22 that?

23 A. No. I don't know if me or Heather  
24 said okay I'm in here. I know somebody said it,

**CATUOGNO COURT REPORTING SERVICES**

**Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH**

**CHRISTINA PARROTT**

**December 16, 2004**

Page 144

1 but I don't remember if it was me or her.

2 That's fine, she can stay.

3 Q. He said that?

4 A. He said it was okay I was in there.

5 Q. When you did go into AMSA do you  
6 recall how Tony seemed to you, or how he  
7 appeared to you?

8 A. I remember at one point he wasn't  
9 wearing his glasses, and I noticed he always  
10 wears glasses. But kind of quiet, he didn't  
11 really say much.

12 Q. Did he seem nervous?

13 MS. ROMANTZ: Objection.

14 THE WITNESS: I don't know if he  
15 seemed nervous because I don't -- I would  
16 say he was nervous, but I don't know if  
17 that's how he was. For me it was nervous.

18 Q. (By Mr. McLeod) Do you recall  
19 testifying at the criminal trial that he seemed  
20 nervous?

21 A. Yes.

22 Q. Was that testimony truthful?

23 A. Yes. Because of his behavior, what  
24 I would think would be nervous for somebody. It

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH



**CHRISTINA PARROTT**

**December 16, 2004**

Page 155

1 English is not Tony's first language?

2 A. Yes.

3 MS. ROMANTZ: No more questions.

4 MR. MCLEOD: Neither do I.

5  
6 (Deposition concluded at 1:14 p.m.)  
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**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 156

1 I, GAYLE OHMAN, a Notary Public in and for  
2 the Commonwealth of Massachusetts, do hereby  
3 certify that CHRISTINA PARROTT, appeared before  
4 me, satisfactorily identified herself, on the  
5 16th day of December, 2004, who was by me duly  
6 sworn to testify to the truth and nothing but  
7 the truth as to her knowledge touching and  
8 concerning the matters in controversy in this  
9 cause; that she was thereupon examined upon her  
10 oath and said examination reduced to writing by  
11 me; and that the statement is a true record of  
12 the testimony given by the witness, to the best  
13 of my knowledge and ability.

14 I further certify that I am not a relative  
15 or employee of counsel/attorney for any of the  
16 parties, nor a relative or employee of such  
17 parties, nor am I financially interested in the  
18 outcome of the action.

19 WITNESS MY HAND this 6th day of January,  
20 2005.

21 

22 Gayle Ohman

My Commission expires:

23 Notary Public

October 25, 2007

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 157

1 Today's date: January 6, 2004  
2 To: Allison Romantz, Esq.  
3 Copied to: William McLeod, Esq.  
4 From: Gayle Ohman  
5 Deposition of: Christina Parrott  
6 Taken: December 16, 2004  
7 Action: HEATHER KIERNAN  
8 Vs. ARMORED MOTOR SERVICE, ET AL.

9 =====

10 Enclosed is a copy of Ms. Parrott's  
11 deposition. Pursuant to the Rules of Civil  
12 Procedure, Ms. Parrott has thirty days to sign  
13 the deposition from today's date.

14 Please have Ms. Parrott sign the enclosed  
15 signature page. If there are any errors, please  
16 have her mark the page, line and error on the  
17 enclosed correction sheet. She should not mark  
18 the transcript itself. The certification page  
19 and addendum should be forwarded to all  
20 interested parties.

21 Thank you for your cooperation in this  
22 matter.

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH

**CHRISTINA PARROTT**

**December 16, 2004**

Page 158

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MASSACHUSETTS

3  
4 C.A. No. 04-10131-RBC

5  
6 \*\*\*\*\*

7 HEATHER KIERNAN, \*

8 Plaintiff \*

9 vs. \*

10 ARMORED MOTOR SERVICE OF AMERICA, \*

11 INC., and FRANCESCO CIAMBRIELLO, \*

12 Defendants \*

13 \*\*\*\*\*

14  
15 I, CHRISTINA PARROTT, do hereby certify,  
16 under the pains and penalties of perjury, that  
17 the foregoing testimony is true and accurate, to  
18 the best of my knowledge and belief.

19 WITNESS MY HAND, this day of ,  
20 2005.

21  
22 -----  
23 CHRISTINA PARROTT  
24

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA Worcester, MA Boston, MA Providence, RI Manchester, NH